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**IN THE UNITED STATES DISTRICT COURT, DISTRICT OF UTAH  
CENTRAL DIVISION**

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UTAH PHYSICIANS FOR A HEALTHY  
ENVIRONMENT,

Plaintiff,

v.

DIESELSellerz.com, et al.,

Defendants.

**DEFENDANTS' RESPONSE IN  
OPPOSITION TO PLAINTIFF'S  
MOTION TO AMEND/CORRECT  
Dkt. 206**

Case No. 2:17-CV-32RJS

Judge: Hon. Robert Shelby

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Defendants Diesel Power Gear, B&W Auto d/b/a Sparks Motors, David Sparks, and Joshua Stuart (collectively, "Defendants") hereby submit this Response in Opposition to Plaintiff's Motion to Amend/Correct Dkt. 206, together with its memorandum in support.

The Motion filed by Plaintiffs as Dkt. 287 seeks to amend an order that is just now more than three years old (Dkt. 206). The Motion seeks to do so with a hearing scheduled in eight days. (Dkt. 285). The Motion is incredibly untimely, at this stage would be impossible to

comply with if granted, and has already been addressed in a prior motion by the Plaintiff at Docket 279, where the court indicated that “On the record before it, the court, however, limits the discovery to that which was originally ordered in the August 14, 2020, order.”

The Court further made it clear that disputed items would be discussed and resolved at the August 24 hearing already scheduled in this matter.

WHEREFORE, Defendants respectfully request that Plaintiff’s Motion to Amend/Modify be DENIED.

DATED this 16<sup>th</sup> day of August, 2023.

Respectfully submitted

/s/ Jon F. Pfeifer

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Certificate of Service

I hereby certify that the above was served upon Plaintiffs via electronic delivery on the 16<sup>th</sup> day of May, 2023.

Cannon Law Group, PLLC

/s/ Jon F. Pfeifer

By: Jon F. Pfeifer